



**Request for City Council Committee Action
From the City Attorney's Office**

Date: June 18, 2012
To: Ways & Means/Budget Committee
Referral to:

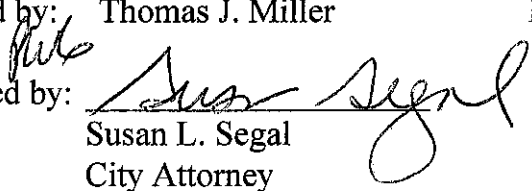
Subject: Davis v. City of Minneapolis
Court File No.: 27-CV-11-12585

Recommendation: That the City Council approve the settlement of this case by payment of \$34,500.00 payable to Blythe Davis and her attorneys, Sawicki & Phelps, from Fund/Org. 06900-1500100-145675 and authorize the City Attorney's Office to execute any documents necessary to effectuate settlement.

Previous Directives: None

Prepared by: Thomas J. Miller

Phone: (612) 673-2897

Approved by: 

Susan L. Segal
City Attorney

Presenter in Committee: Susan L. Segal, City Attorney

Financial Impact:(Check those that apply)

- ☐ No financial impact (If checked, go directly to Background/Supporting Information).
- ☐ Action requires an appropriation increase to the _____ Capital Budget or _____ Operating Budget.
- ☐ Action provides increased revenue for appropriation increase.
- ☐ Action requires use of contingency or reserves.
- ☐ Business Plan: _____ Action is within the plan. _____ Action requires a change to plan.
- ☒ Other financial impact (Explain): \$34,500.00 from Fund/Org. 06900-1500100-145675
- ☐ Request provided to department's finance contact when provided to the Committee Coordinator.

Community Impact: Other

Background/Supporting Information:

On October 21, 2008, Blythe Davis was driving her 2002 GMC Yukon traveling westbound on 61st Street East at or near its intersection with Columbus Avenue South in Minneapolis, Minnesota. At that time and place, a city public works truck crossed 61st street east from the opposing traffic lanes and struck Ms. Davis' vehicle causing \$11,005.13 in damage. Minneapolis Police responded to the scene of the collision and the accident report noted "Improper/Unsafe Lane Use" on the part of the City employee as the sole cause of the accident.

As a result of the crash, forty-three year-old Blythe Davis sustained injuries and in excess of \$37,862.43 in treatment expenses. She continues to suffer symptoms as a result of her related injuries.

Following extensive negotiations with her attorney, we have reached a tentative settlement of Ms. Davis' personal injury claims, against the City in the amount of \$34,500.00. This proposed settlement has been discussed with the Public Works Department and they are in agreement with the terms. We believe that the settlement is in the best interests of the City and recommend approval by this Committee.

TJM / 11-05980